

Joanne C. Lewers (ID No. 81195)
 DRINKER BIDDLE & REATH LLP
 One Logan Square, Suite 2000
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 Telephone: (215) 988-2700
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joanne.lewers@dbr.com

Attorney for Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc. and United BioSource Corporation, now known as United BioSource LLC., a wholly owned subsidiary of United BioSource Holdings, Inc.

INTERNATIONAL UNION OF	:	IN THE MONTGOMERY COUNTY
OPERATING ENGINEERS LOCAL 542	:	COURT OF COMMON PLEAS
	:	
v.	:	
	:	
MALLINCKRODT ARD, INC., formerly	:	
known as QUESTCOR	:	No. 2018-14059
PHARMACEUTICALS, INC.	:	
	:	
MALINCKRODT PLC	:	
	:	
EXPRESS SCRIPTS HOLDING	:	
COMPANY	:	
	:	
EXPRESS SCRIPTS, INC.	:	
CURASCRIPT, INC.	:	
CURASCRIPT SD	:	
	:	
ACCREDITO HEALTH GROUP, INC.	:	
	:	
and	:	
	:	
UNITED BIOSOURCE CORPORATION,	:	
now known as UNITED BIOSOURCE	:	
LLC, a wholly owned subsidiary of	:	
UNITED BIOSOURCE HOLDINGS, INC.	:	

MOTION FOR ADMISSION *PRO HAC VICE* OF MICHAEL H. MENITOVE

Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc., and United Biosource Corporation, now known as United Biosource LLC, a wholly owned subsidiary of United Biosource Holdings, Inc.

(collectively, the “Express Scripts Defendants”), by and through their undersigned counsel, respectfully move this Court pursuant to Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 for the admission *pro hac vice* of Michael H. Menitove in this matter. In support, Express Scripts Defendants aver as follows:

1. The Express Scripts Defendants seek to have Mr. Menitove admitted *pro hac vice* in this matter for the purposes of representing the Express Scripts Defendants.

2. Mr. Menitove is an attorney with Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036-6522, telephone number (212) 735-3000. *See* Ex. A, Verified Statement of Michael H. Menitove ¶ 1.

3. Mr. Menitove is admitted to practice in the state of New York (Bar number 4685178, admitted in 2009). Mr. Menitove is also admitted to practice in the Federal Circuit Court of Appeals (admitted in 2012), the Ninth Circuit Court of Appeals (admitted in 2016), and the Southern and Eastern Districts of New York (admitted to each in 2014). *See id.* ¶ 2.

4. Mr. Menitove is a member in good standing of the bars of the Courts listed in Paragraph 3. *See id.*

5. Mr. Menitove is not subject to any disciplinary proceedings and is not currently suspended or disbarred in any Court. *See id.* ¶ 3.

6. Mr. Menitove is familiar with Pennsylvania Bar Admission Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1 and will be associated with Joanne C. Lewers of Drinker Biddle & Reath LLP at all stages of this lawsuit.

7. Ms. Lewers is a member in good standing of the bar of the Commonwealth of Pennsylvania. *See* Ex. B, Verified Statement of Joanne C. Lewers ¶ 1.

8. Ms. Lewers is and will remain counsel of record for the Express Scripts Defendants. *See id.* ¶ 3.

9. Pennsylvania Bar Admission Rule 301(a) provides in pertinent part:

An attorney, barrister, or advocate who is qualified to practice in the courts of another state or of a foreign jurisdiction may be specially admitted to the bar of this Commonwealth for purposes limited to a particular matter. An attorney, barrister or advocate admitted *pro hac vice* in a matter shall not thereby be authorized to act as attorney of record in such matter.

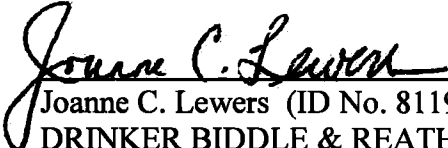
10. A Pennsylvania Court shall grant a motion for admission *pro hac vice* “unless good cause for denial shall appear.” *Id.* at 301(b)(2); *see also* Pa.R.C.P. No. 1012.1(e) (“The court shall grant the motion unless the court, in its discretion, finds good cause for denial.”). No good cause exists to deny this request for *pro hac vice* admission.

11. The fee required by Section 81.505(a) of the Pennsylvania IOLTA Board Regulations for *Pro Hac Vice* Admissions has been paid and the information required by Section 81.504 of the Pennsylvania IOLTA Board Regulations for *Pro Hac Vice* Admission has been provided to the IOLTA Board. *See* Ex. C, IOLTA Verification Letter, dated June 19, 2018.

WHEREFORE, the Express Scripts Defendants respectfully request that the Court specially admit Michael H. Menitove *pro hac vice* on behalf of the Express Scripts Defendants in this matter.

Dated: June 20, 2018

Respectfully submitted,


Joanne C. Lewers (ID No. 81195)
DRINKER BIDDLE & REATH LLP
One Logan Square, Suite 2000
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Telephone: (215) 988-2700
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Attorney for Defendants Express Scripts Holding Company, Express Scripts, Inc., CuraScript, Inc., CuraScript SD, Accredo Health Group, Inc., and United BioSource Corporation, now known as United BioSource LLC, a wholly owned subsidiary of United BioSource Holdings, Inc.

INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL 542

v.

MALLINCKRODT ARD, INC., formerly
known as QUESTCOR
PHARMACEUTICALS, INC.

MALINCKRODT PLC

EXPRESS SCRIPTS HOLDING
COMPANY

EXPRESS SCRIPTS, INC.
CURASCRIPT, INC.
CURASCRIPT SD

ACCREDITO HEALTH GROUP, INC.

and

UNITED BIOSOURCE CORPORATION,
now known as UNITED BIOSOURCE
LLC, a wholly owned subsidiary of
UNITED BIOSOURCE HOLDINGS, INC.

IN THE MONTGOMERY COUNTY
COURT OF COMMON PLEAS

No. 2018-14059

ORDER

AND NOW, this _____ day of _____, 2018, it is hereby **ORDERED**
AND DECREED that the Motion for Admission *Pro Hac Vice* is GRANTED, and Michael H.
Menitove, of Skadden, Arps, Slate, Meagher & Flom LLP is hereby admitted *Pro Hac Vice*
before this Court for purposes of this matter. Mr. Menitove shall comply with all applicable
Pennsylvania Rules of Court.

BY THE COURT:

Hon. Gary S. Silow

EXHIBIT A

INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL 542

v.

MALLINCKRODT ARD, INC., formerly
known as QUESTCOR
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MALINCKRODT PLC

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ACCREDITO HEALTH GROUP, INC.

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IN THE MONTGOMERY COUNTY
COURT OF COMMON PLEAS

No. 2018-14059

VERIFIED STATEMENT OF MICHAEL H. MENITOVE

I, Michael H. Menitove, Esquire, make this statement in support of my request for admission *pro hac vice* to appear in this matter before the Court of Common Pleas.

1. I am an attorney at law in the State of New York and an associate with Skadden, Arps, Slate, Meagher & Flom LLP at Four Times Square, New York, NY 10036-6522, telephone number (212) 735-3000.

2. I am an attorney in good standing of the bar of the state of New York (Bar number 4685178, admitted in 2009). I am also admitted to practice in the Federal Circuit Court of Appeals (admitted in 2012), the Ninth Circuit Court of Appeals (admitted in 2016) and the Southern and Eastern Districts of New York (admitted to each in 2014).

3. I have never been suspended, disbarred or otherwise disciplined. Nor have I been subject to any disciplinary proceedings.

4. Previously, I have applied for *pro hac vice* admission in two federal actions in Pennsylvania. No motions for my admission have been denied.

5. I agree to comply with and be bound by the applicable statutes, case law and procedural rules of the Commonwealth of Pennsylvania, including the Pennsylvania Rules of Professional Conduct.

6. I further agree to submit to the jurisdiction of the Pennsylvania courts and the Pennsylvania Disciplinary Board with respect to acts and omissions occurring during my appearance in this matter.

7. I am familiar with Pennsylvania Bar Admissions Rule 301 and Pennsylvania Rule of Civil Procedure 1012.1, and attest that I will be associated with Joanne C. Lewers, Esquire, at all stages of, and for the purposes limited to, this lawsuit.

8. I consent to the appointment of the sponsoring attorney, Joanne C. Lewers, Esquire, as the agent upon whom service of process shall be made for all actions, including disciplinary actions that may arise out of the practice of law in this matter.

I make this statement subject to the penalties of 18 Pa. Const. Stat. § 4904, which relates to unsworn falsification to authorities.

Dated: June 20, 2018


Michael H. Menitove

EXHIBIT B

INTERNATIONAL UNION OF
OPERATING ENGINEERS LOCAL 542

v.

MALLINCKRODT ARD, INC., formerly
known as QUESTCOR
PHARMACEUTICALS, INC.

MALINCKRODT PLC

EXPRESS SCRIPTS HOLDING
COMPANY

EXPRESS SCRIPTS, INC.
CURAScript, INC.
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ACCREDITO HEALTH GROUP, INC.

and

UNITED BIOSOURCE CORPORATION,
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IN THE MONTGOMERY COUNTY
COURT OF COMMON PLEAS

No. 2018-14059

VERIFIED STATEMENT OF JOANNE C. LEWERS

I, Joanne C. Lewers, Esquire, make this statement in support of the motion for the admission *pro hac vice* of Michael H. Menitove, to appear in this matter before the Court of Common Pleas.

1. I am a partner with the law firm of Drinker Biddle & Reath LLP with offices at One Logan Square, Suite 2000, Philadelphia, PA 19103-6996, telephone number (215) 988-2700, and am a member in good standing of the bar of the Commonwealth of Pennsylvania, Attorney Identification No. 81195.

2. After reasonable investigation, I reasonably believe that Michael H. Menitove is a reputable and competent attorney and I am in a position to recommend the candidate's admission.

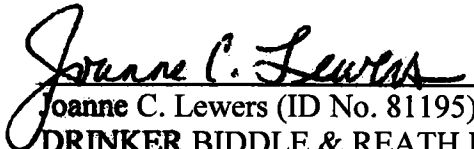
3. I am acting as Mr. Menitove's sponsor in this case. I am presently counsel of record for the Express Scripts Defendants in this matter and will remain so throughout the course of this litigation.

4. I am not presently acting as the sponsor of candidates for admission *pro hac vice* in other cases pending before courts of record of the Commonwealth of Pennsylvania.

5. The proceeds from the settlement of a cause of action in this matter shall be received, held, distributed and accounted for in accordance with Rule 1.15 of the Pennsylvania Rules of Professional Conduct, including the IOLTA provisions thereof, if applicable.

6. I make this statement subject to the penalties of 18 Pa. Cons. State. § 4904, which relates to unsworn falsification to authorities.

Dated: June 20, 2018


Joanne C. Lewers (ID No. 81195)
DRINKER BIDDLE & REATH LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996
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EXHIBIT C



SUPREME COURT OF PENNSYLVANIA
PENNSYLVANIA INTEREST ON
LAWYERS TRUST ACCOUNT BOARD

June 19, 2018

MICHAEL H. MENITOVE, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

SENT TO ALISSA TURNIPSEED VIA Email: ALISSA.TURNIPSEED@SKADDEN.COM

Dear Attorney MENITOVE:

This letter serves as the fee payment certification referenced in 204 Pa Code §81.503 and acknowledges receipt of the \$375.00 fee paid by Online Payment on this date related to your pursuit for admission *pro hac vice* in the case identified as Int'l Union of Operating Eng'rs Local 542 v. Mallinckrodt ARD, Inc., et al., no. NO.2018-14059, filed in Court of Common Pleas of Montgomery County.

You should refer to Pa Rule of Civil Procedure 1012.1, local court rules, and other regulations of 204 Pa Code §81.501 et. seq. concerning additional requirements related to seeking *pro hac vice* admission.

Sincerely,

A handwritten signature in black ink, reading "Stephanie S. Libhart".

Stephanie S. Libhart
Executive Director

cc: JOANNE CELIA LEWERS, Esq.

joanne.lewers@dbr.com

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Administering Pennsylvania's Interest On Lawyers Trust Account (IOLTA) Program